

31048 U.S. PTO
05/24/01

05-25-01

UTILITY PATENT APPLICATION TRANSMITTAL
(for Noncontinuing, Nonprovisional
Applications under 37 C.F.R. §1.53(b))

Attorney Docket No. 71049

JC997 U.S. PTO
09/865109
05/24/01

Box PATENT APPLICATION
Commissioner of Patents and Trademarks
ATTENTION: Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith for filing
under 37 C.F.R. §1.53(b) is the
nonprovisional, noncontinuing
patent application for:

Title: An Apparatus for the Application
of Bone Cement and a Cannula for Such an
Apparatus

First Named Inventor or
Application Identifier: Heinrich Pajunk

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label Number

EL 821496128 US

Date of Deposit May 24, 2001

I hereby certify that this paper or fee is being
deposited with the United States Postal Service
"Express Mail Post Office to Addressee" Service
under 37 CFR §1.10 on the date indicated above and
is addressed to the Commissioner of Patents and
Trademarks, Washington, D.C. 20231.

JOHNNY HAYNES

(Typed or printed name of person mailing)

Johnny Haynes

(Signature of person mailing)

- (X) 24 pages of the specification (including claims) are enclosed.
- (X) 5 sheet(s) of drawings are enclosed. (X) Formal () Informal
- () An executed Oath or Declaration and Power of Attorney naming the
actual inventors is enclosed.
- (X) The names of persons believed to be the actual inventors are set forth
in the enclosed unexecuted Oath or Declaration and Power of Attorney
(§1.41(a) and §1.53(b)).
- () An Assignment(s) of the invention to _____,
and cover sheet are enclosed.
- () A check in the amount of \$_____ to cover the fee for recording the
assignment(s) is enclosed.
- () A 37 C.F.R. §3.73(b) Statement is enclosed (where an Assignee seeks
to take action in a matter before the Patent Office).
- (X) An Information Disclosure Statement is enclosed.
- (X) A Form PTO-1449 is enclosed.
- (X) Five (5) References (copies) listed on the Form PTO-1449 are
enclosed.
- (X) A Return Receipt Postcard is enclosed (MPEP §503).

(X) Priority of application numbers 100 25 898.0 filed on May 25, 2000 in Germany and 100 64 202.0 filed on December 22, 2000 in Germany is claimed under 35 U.S.C. §119.

(X) A certified copy of each priority document is enclosed.

() A MicroFiche Computer Program (Appendix) is enclosed.

() A Nucleotide and/or Amino Acid Sequence Submission is enclosed.

() A Computer Readable Copy is enclosed.

() A Paper Copy (Identical to Computer Copy) is enclosed.

() A Statement Verifying Identity of above Copies is enclosed.

(X) The filing fee is calculated below:

Fee Calculation For Claims As Filed

(a) Basic Fee		\$ 710.00
(b) Independent Claims	<u>2</u> - <u>3</u> = <u> </u> x \$ 80.00 = \$ <u> </u> .00	
(c) Total Claims	<u>30</u> - 20 = <u>10</u> x \$ 18.00 = \$ <u>180.00</u>	
(d) Fee for Multiply Dependent Claims	\$270.00	\$ <u> </u> .00
	Total Filing Fee	\$ <u>890.00</u>

(X) Small Entity Status is claimed herewith, thereby reducing the Filing Fee by half to: \$ 445.00

(X) A check in the amount of \$ 445.00 to cover the filing fee is enclosed.

() Charge \$ to Deposit Account No. 06-1135.

() The payment of the Filing Fee is to be deferred until the Declaration is filed. Do not charge our Deposit Account.

(X) A separate written request under 37 C.F.R. §1.136(a)(3), which is a general authorization to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. §1.136(a) for its timely submission as incorporating a petition for an extension of time for the appropriate length of time, is enclosed.

(X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in triplicate.

() Also enclosed:

(X) Address all future communications to Customer Number 22242.



FITCH, EVEN, TABIN & FLANNERY
Suite 1600
120 South LaSalle Street
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

May 24, 2001
(Date)

Kenneth H. Samples
Kenneth H. Samples
Registration No. 25,747